

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO SALES TAX FINANCING
CORPORATION (“COFINA”),

Debtor.

PROMESA

Title III

No. 17 BK 3284-LTS

**CERTIFICATE OF NO OBJECTION AND REQUEST FOR ENTRY,
WITHOUT A HEARING, OF ORDER GRANTING MOTION TO
VACATE SCHEDULING ORDERS WITH RESPECT TO THE COFINA
STIPULATION REGARDING BONISTAS EXPENSES [ECF NO. 8502]**

¹The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

On August 19, 2019, the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), as the fiscal agent and financial advisor of the Commonwealth of Puerto Rico under the *Enabling Act of the Fiscal Agency and Financial Advisory Authority*, Act 2-2017, filed the *Notice of Withdrawal by AAFAF of Previously Filed Stipulation Regarding Bonistas Expenses and Motion to Vacate Scheduling Orders with Respect to the Stipulation* [Case No. 17-03283-LTS, ECF No. 8502], seeking entry of an order vacating scheduling orders with respect to the COFINA stipulation regarding Bonistas Expenses.² On August 26, 2019, after receiving informal comments from the Official Committee of Unsecured Creditors, AAFAF filed the *Notice of a Revised Proposed Order to the Notice of Withdrawal by AAFAF of Previously Filed Stipulation Regarding Bonistas Expenses and Motion to Vacate Scheduling Orders with Respect to the Stipulation* (ECF No. 8502) [Case No. 17-03283-LTS, ECF No. 8547] (collectively with ECF No. 8502, the “Notice and Motion”).

Pursuant to the *Notice of Hearing on Notice of Withdrawal by AAFAF of Previously Filed Stipulation Regarding Bonistas Expenses and Motion to Vacate Scheduling Orders with Respect to the Stipulation* [Case No. 17-03283-LTS, ECF No. 8503], which set a hearing date of September 11, 2019, for the Notice and Motion, and this Court’s *Tenth Amended Case Management Procedures* [Case No. 17-03283-LTS, ECF No. 8027-1] (the “Case Management Procedures”), objections, if any, to the Notice and Motion were to be filed and served no later than August 27, 2019, at 4:00 p.m. (Atlantic Time) (the “Objection Deadline”). See Case Management Procedures, Section III, paragraph I. According to the Case Management Procedures, the Court may enter an order granting a request for relief without a hearing upon receipt of a certificate of no objection

² Capitalized terms used but not otherwise defined herein have the meanings given them in the *Informative Motion Regarding Stipulation Allowing Administrative Expense Claim of Bonistas Del Patio, Inc.* [Case No. 17-3284, Docket No. 582] (the “Informative Motion”), and Exhibit A attached to the Informative Motion, captioned *Stipulation Regarding Section 15.2 Expenses* [Case No. 17-3284, Docket No. 582-1] (the “Stipulation”).

(“CNO,” as defined by the Case Management Procedures). *See* Case Management Procedures, Section III, paragraph P.

In accordance with the Case Management Procedures, the undersigned hereby certifies that this CNO is filed not less than forty-eight (48) hours after the expiration of the Objection Deadline. The undersigned further certifies that counsel for AAFAF has reviewed the Court’s docket in the above-captioned case not less than forty-eight (48) hours after expiration of the Objection Deadline, and, to the best of counsel’s knowledge, no applicable objection, responsive pleading, or request for a hearing with respect to the Notice and Motion appear on the docket.

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WHEREFORE AAFAF respectfully requests that the Court enter the proposed order attached hereto as **Exhibit A**.

Dated: September 4, 2019
San Juan, Puerto Rico

Respectfully submitted,

/s/ Peter Friedman

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Exhibit A

Proposed Order

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

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In re:

THE FINANCIAL OVERSIGHT AND
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PUERTO RICO SALES TAX FINANCING
CORPORATION (“COFINA”),

Debtor.

PROMESA

Title III

No. 17 BK 3284-LTS

**[PROPOSED] ORDER VACATING ORDER SETTING DEADLINE FOR
FURTHER RESPONSE TO THE INFORMATIVE MOTION
REGARDING STIPULATION SECTION 15.2 EXPENSES [ECF NO. 591]
AND ORDER FURTHER EXTENDING DEADLINES SET FORTH IN
THE COURT’S ORDER ENTERED ON FEBRUARY 14, 2019
(ECF NO. 596) [ECF NO. 657]**

¹The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

This matter having come before the Court by the *Notice of Withdrawal by AAFAF of Previously Filed Stipulation Regarding Bonistas Expenses and Motion to Vacate Scheduling Orders with Respect to the Stipulation* [Case No. 17-03283-LTS, ECF No. 8502] and the *Notice of a Revised Proposed Order to the Notice of Withdrawal by AAFAF of Previously Filed Stipulation Regarding Bonistas Expenses and Motion to Vacate Scheduling Orders with Respect to the Stipulation* (ECF No. 8502) [Case No. 17-03283-LTS, ECF No. 8547] (collectively with ECF No. 8502, the “Notice and Motion”), filed by the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), as fiscal agent and financial advisor of the Commonwealth of Puerto Rico under the *Enabling Act of the Fiscal Agency and Financial Advisory Authority*, Act 2-2017, for the entry of an order (the “Order”) vacating the *Order Setting Deadline for Further Response to the Informative Motion Regarding Stipulation Section 15.2 Expenses*, entered on February 13, 2019 [Case No. 17-3284, Docket No. 591] (“February 13 Order”), and the *Order Further Extending Deadlines Set Forth in the Court’s Order Entered on February 14, 2019* (ECF No. 596), entered on July 1, 2019 [Case No. 17-3284, Docket No. 657] (“July 1 Order”), and based upon AAFAF’s withdrawal of the Stipulation, representations made by AAFAF, and good cause having been shown;²

NOW THEREFORE, IT IS HEREBY ORDERED:

1. The February 13 Order is vacated.
2. The July 1 Order is vacated.
3. Neither AAFAF, the Commonwealth of Puerto Rico, nor any instrumentality of the Government of Puerto Rico,³ including without limitation any political subdivision, public agency,

² Capitalized terms used but not otherwise defined herein have the meanings given them in the Notice and Motion.

³ The term “Government of Puerto Rico,” as used here, is defined under PROMESA. 48 U.S.C.A. § 2104.

instrumentality or public corporation thereof, will make any payment of the Bonistas Expenses without further proper notice to all parties in interest and order of this Court.

4. This Order is without prejudice to the rights of Bonistas del Patio, Inc. and its professionals to seek payment of the Bonistas Expenses and all parties in interests' defenses thereto.

5. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated: _____, 2019
San Juan, Puerto Rico

Honorable Laura Taylor Swain
United States District Judge